

## REMARKS

### I. INTRODUCTION

In response to the Office Action dated September 27, 2004, claims 43, 53, and 65 have been amended. Claims 35-68 remain in the application. Entry of these amendments, and re-consideration of the application, as amended, is requested.

### II. SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

With this request for continued examination (RCE), Applicants submit the supplemental information disclosure statement attached hereto. Applicants respectfully request consideration of the art cited therein.

### III. INTERVIEW SUMMARY

On November 30, 2004, an interview was conducted between Examiner Beliveau, Jason S. Feldmar (Reg. No. 39,187), and Georgann Grunebach (Reg. No. 33,179). The pending claims, rejections, and prior art references (namely the PocketTV article) were discussed.

Agreement was partially reached. Specifically, the Examiner indicated that adding encryption details from co-pending application 09/491,959 would likely provide allowable subject matter.

In addition, agreement was reached with respect to the 35 U.S.C. 112 rejections of claims 43, 53, and 65. In this regard, the Examiner agreed that by amending claims 43, 53, and 63 to remove "hand held computing device" from the beginning of each claim would overcome the 112 rejections.

Agreement was also reached with respect to the objections of the drawings. In this regard, the Examiner indicated that the arguments with respect to the drawings would likely be sufficient to overcome the drawing objections pending a subsequent reply.

However, agreement was not reached with respect to the allowability of the independent claims in view of the prior art.

Applicants appreciate the time and consideration taken by the Examiner and submit this request for continued examination in view of the interview and comments.

#### IV. CLAIM AMENDMENTS

Applicant's attorney has made amendments to the claims as indicated above. These amendments were made solely for the purpose of clarifying the language of the claims, and were not required for patentability or to distinguish the claims over the prior art.

#### V. DRAWING OBJECTIONS AND 112 REJECTIONS

In paragraph (2) of the Office Action, the drawings were objected to for failing to show every feature of the invention specified in the claims.

In view of the Interview with the Examiner and the Interview Summary received from the Examiner dated December 10, 2004, Applicants respectfully request withdrawal of the objections to the drawings.

In addition, in paragraphs (5)-(6) of the Office Action, claims 43, 53, and 65 were rejected under 35 U.S.C. §112. In view of the interview with the Examiner, claims 43, 53, and 65 have been amended to overcome the rejections. Accordingly, Applicants respectfully request withdrawal of the rejections.

#### VI. PRIOR ART REJECTIONS

##### A. Office Action Rejections

With respect to the rejections of the application based on the prior art, Applicants respectfully traverse the rejections for the reasons set forth in the prior responses. Applicants respectfully request the Examiner to reconsider the rejections and submit that the Application is in condition for allowance. The substance of these prior arguments are set forth below.

The Office Action rejects the claims on two separate grounds.

In paragraphs (7)-(8) of the Office Action, claims 35-68 were rejected under 35 U.S.C. §103(a) as being unpatentable over Perlman, U.S. Patent No. 6,169,879 (Perlman) in view of the PocketTV™ article (Pocket), and further in view of Huang et al., U.S. Patent No. 6,437,836 (Huang).

In paragraph (9) of the Office Action, claims 35-68 were rejected under 35 U.S.C. §103(a) as being unpatentable over Schindler et al., U.S. Patent No. 5,675,390 (Schindler) in view of Pocket and further in view of Huang.

Applicant respectfully traverses these rejections for at least one or more of the following reasons:

- (1) The references cannot be combined as suggested;
- (2) Neither Perlman, PocketTV™, Huang, or Schindler teach, disclose or suggest a handheld computing device transmitting audio/visual information to a set top box; and
- (3) Neither Perlman, PocketTV™, Huang, or Schindler teach, disclose or suggest a set top box displaying audio/visual information (on a display device) where the audio/visual information has been received from a handheld computing device.

B. The Claims Are Patentable Over Perlman in view of PocketTV and further in view of Huang

Independent claims 35, 47, and 57 provide for displaying audio/visual information on an output device by using a set top box and hand held computing device. Specifically, the handheld computing device is used to control the set top box (similar to a remote control) and store audio/visual information. The claims provide the ability for the handheld computing device to receive and store audio/visual information from the set top box and then transmit the audio/visual information to the same (or different) set top box for display of the transmitted information on the output device. None of the prior art references, either alone or in combination, implicitly or explicitly, provide the ability for such a system or hand held computing device that performs such combined functionality as claimed.

The rejection relies on Perlman to teach a WebTV set top box environment. Applicant agrees that Perlman discloses a WebTV box. Perlman also describes a central electronics device 40 (not an STB) that receives cable television signals from a cable provider (see col. 7, lines 66-col. 8, line 4). Perlman further describes that all video, audio, or data signals must pass through central electronics device 40 when it is transmitted between cable box 122, VCR 130, television set 110, consumer electronics devices 106 and 108, and cable jack 124.

As admitted in the Office Action, Perlman completely fails to describe the following claimed limitations:

- (1) transmitting audio/visual information to a handheld computing device;
- (2) receiving audio/visual information from a handheld computing device;

- (3) transforming the audio/visual information received from the handheld computing device to a form suitable for presentation on an output device; and
- (4) causing the transformed information (that was received from the handheld computing device) to be displayed on an output device.

In response to the above arguments set forth in response to a prior Office Action, the final Office Action replies:

The examiner respectfully disagrees with what is purported to be admitted by the examiner. In particular, it is the examiner's position, as recited in the rejection, that the Perlman reference only fails to displays the particular usage of a handheld computing device or PDA that further acts as a remote controller.

Applicant traverses such a statement. Based on the above response, the Office Action contradicts itself. Applicant's assertions regarding admission in the Office Action are explicit and relate to the specific claim language involving the handheld computing device. Page 10 of the final Office Action states:

The reference discloses that the "set top box" [40] is operable to "receive broadcast audio/visual information" (Col 7, Line 66 – Col 8, Line 4) and "receive"/"transmit" audio/visual information" from/to any of the connected sources such as a VCR [130] whereupon it is "transformed...to a form suitable for presentation on an output device" for "display on the output device" [110] (Col 9, Lines 23-30, 46-65). The reference, however, does not explicitly disclose nor preclude that the aforementioned interconnected "electronic devices" would not further include a "handheld computing device" such as the one that provides audio output, video output, or information services.

The final Office Action then continues and relies on PocketTV to teach these various aspects. Accordingly, Applicant submits that the Office Action relies on PocketTV more than merely to teach a particular usage of a handheld device that further acts as a remote control. Based on the above language, it is clear that the Office Action admits that Perlman fails to explicitly describe each of the above assertions. Nonetheless, the final Office Action now asserts that the Examiner's position is that Perlman only fails to display the particular usage of the handheld computing device that further acts as a remote controller. Such language in the Office Action is confusing and contradictory.

In this regard, if Perlman merely fails to teach a particular handheld computing device that further acts as a remote controller, then PocketTV also fails to cure Perlman's deficiencies because Perlman clearly fails to teach the particular usage (as claimed) of a handheld computing device that further acts as a remote control.

*PocketTV's Teaching is limited to Playback on the Handheld Device Itself*

To teach various claim elements, the Office Action relies on the PocketTV article.

However, Applicant submits that the Office Action completely misinterprets the language of the PocketTV article and construes it in an improper manner. As previously stated, the PocketTV article completely fails to teach the transmission of audio/visual information to a set top box for display on an output device. Instead, the PocketTV article is limited in that it merely describes the playback of an MPEG clip on the handheld device itself. In this regard, there is no description whatsoever for receiving the MPEG clip or transmitting the MPEG clip. Nor is there any description of receiving the MPEG clip or transmitting of an MPEG clip to a set top box (as claimed).

The PocketTV article does state that the device may be an HP Jornada 430se device. In this regard, the Office Action relies on the HP Jornada User's Guide to teach the transmission and reception of video files from/to a computer. However, the User Guide describes the ability to "send and receive files by infrared beam between P/PCs, between the P/PC and a handheld PC (H/PC), or between the P/PC and a desktop PC." (see page 8, item 3). In other words, the HP Jornada device is configured to receive files from and transmit files to a personal computer (PC). Such files could include the MPEG files described in the PocketTV article.

In view of the above, there is obviously a clear problem with the combination of the HP Jornada User Guide and the PocketTV article with respect to the present invention— they fail to teach any communication whatsoever with a STB as set forth in the claims. In fact, Applicant submits that there would be no reason at all for the PocketTV device to be used with an STB. Nor could the PocketTV device be used with an STB. In this regard, the PocketTV device requires MPEG files that are encoded by a PC. Such limitations do not exist in the present claims. In addition, the sole purpose of the PocketTV device is that it provides an "MPEG movie viewer for Windows-CE Palm size and Handheld PCs" (see first paragraph of PocketTV article). Thus, the PocketTV's stated purpose is to view movies on a handheld device. It is not intended to transmit files to an STB for viewing on a display device or a television. Nor does PocketTV describe the transmission of an MPEG file to a computer or STB for viewing on another device. In fact, there would be no reason for a PocketTV user to do transmit files back to a computer – instead, PocketTV is limited by its own description to viewing movies on the device itself.

In addition to the above, Applicant submits that while the PocketTV article can be combined with the HP Jornada User Guide, there is no suggestion, motivation, or rationale for using either the PocketTV article or HP Jornada User Guide with the Perlman device. In fact, the Office Action admits that Perlman fails to describe a handheld computing device as part of its description (see bottom of page 5 and top of page 6 of Office Action). Further, Perlman's description solely refers to and is limited to consumer electronic devices that are included in a home entertainment or information retrieval system (see col. 6, lines 43-45). Perlman specifically lists large standard entertainment unit systems such as cable boxes, satellite receivers, video cassette recorders, video game consoles, video disk players, home theater equipment, home stereo equipment, etc. (see col. 6, lines 45-54). However, notoriously absent from any the entire description of Perlman is a handheld device as claimed. Further, notoriously absent from both the PocketTV article and the User Guide is any reference whatsoever to a connection with anything other than a computer.

Despite the lack of any motivation to combine, the Office Action merely transitions to the description of the PocketTV article after describing the Perlman reference and then concludes that it would be obvious to combine the references. Applicant respectfully disagrees with such an obviousness determination. There is no suggestion or indication, implicit or explicit, in either Perlman, PocketTV, or HP User Guide that the references should be combined with each other. The Office Action rationale provides that the combination would be for the purpose of enabling the recording/storage of audio/visual information on a portable device that may advantageously allow for the storage of an entire movie in your pocket. However, even without Perlman, the PocketTV article meets this "advantage". Accordingly, the combination is not even remotely suggested. In fact, Applicant submits that since the sole point of PocketTV is to provide an MPEG viewer in a handheld device, PocketTV teaches away from transmitting such material to any Perlman device. Further, Perlman does not even remotely suggest the use of a handheld device or portable device whatsoever that may be linked with its system.

The Response to Argument section of a prior Office Action asserts that the HP Jornada PDA "supports the transfer of video files both to and from the device". Applicant respectfully disagrees. There is no description of the transfer of any video files both to and from a "device". Instead, as described above, it is limited to transmission from a PC and not a "set top box" as claimed. There are significant differences that are well established between an STB and a standard

PC. Set top boxes are a term of art with specific functionality that are clearly distinguishable from a standard PC that is described in the HP User Guide. In this regard, contrary to that asserted in the Office Action, the HP Jornada does not meet the definition as set forth in Perlman of an “electronic device”.

The prior Response to Arguments section further asserts that the features upon which Applicant relies are not recited in the rejected claims. Applicant respectfully disagrees. Firstly, Applicant does not rely upon streaming video in the earlier arguments. The PocketTV article itself describes streaming video and indicates that it is not yet available. Applicant was merely pointing out that the ability to receive and view live video on the PDA device was not implemented. Accordingly, any reference to that portion of the article would be improper since it could not teach the invention as claimed.

The Office Action continues and relies on the teaching of Huang for controlling one or more STBs using the command signal. While Huang discloses a remote control system via a PDA (see col. 4, lines 62-66 and Title), Huang still fails to cure the deficiencies of Perlman, PocketTV, and the HP User Guide as described above. Specifically, Huang is limited to the user of a PDA as a remote control to control consumer electronics devices (see col. 4, line 66-col. 5, line 1). However, Huang still fails to teach the receiving or transmitting of audio/visual information from a handheld device to an STB as claimed. Further, none of the cited references even remotely describe an STB that is capable of displaying audio/visual information on a display where that audio/visual information was received from a handheld computing device (as claimed).

In response to the above arguments, the final Office Action first addresses the hindsight reasoning argument and submits:

In this case, the knowledge of interconnecting a set-top box and a handheld computing device such as a PDA was well within the level of ordinary skill at the time the invention was made to those in the art circa the filing of the Perlman reference as evidenced by Figures 1 and 2 of the Wharton et al. reference (of record). Applicant notes that Wharton was not relied upon in rejecting the claims and therefore to rely upon such a reference while making the Office Action final is improper. Again, as stated above, while a level of ordinary skill in the art may be used to combine references, the references used to reject the claims teach away from a combination with each other. Further, even if combined, they still fail to teach the invention as claimed (as set forth in detail above

and below). In addition to the above, Applicant notes that Wharton merely describes the ability to use a PDA as a remote control and to reconfigure the display on the PDA with data displayed on an interactive terminal (see Wharton col. 1, lines 60-67). However, the manner in which the final Office Action combines Perlman with PocketTV is not contemplated nor suggested by Wharton or any other reference.

The Final office Action continues and states that the Perlman reference explicitly suggests the interconnection of a set-top box [40] with a plurality of “electronic devices” defined as “any number or type of various consumer electronic devices that provide audio output, video output, or information services (col. 6, lines 45-60) of which would include devices including “handheld computing devices” or PDAs as described in the PocketTV article. Applicant respectfully disagrees.

Since Perlman fails to disclose any type of handheld computing device, one cannot read in the “hand held computing device” or “PDA” of the present invention or the PocketTV article into Perlman.

The final office Action continues and states that a change in size is generally recognized as being within the level of ordinary skill in the art and that the PocketTV article provides a physical actualization of what has been previously been held as an obvious variant of the Perlman VCR in disclosing software that enables a PDA to become a miniature VCR that is inherently capable of transmitting information between it and a computer. Applicants respectfully disagree. The PocketTV article is merely a press release from a company that is touting their device. The press release merely advertises that your handheld or palm-size PC becomes a miniature VCR. Again, there is no functional or enabling description that supports such an assertion in the press release. Instead, the press release consistently asserts that the handheld or palm-size PC merely has the capability to play movie files encoded in the standard MPEG-1 format. In fact, the article places the reference to the miniature “VCR” in quotes as a statement by Tristan Savatier, President of MpegTV. Such a quote is not even remotely equivalent to an enabling disclosure or the teaching of the present invention. In addition, Applicants submit that the PocketTV article does not merely reduce the size of Perlman’s VCR. Instead, PocketTV presents a device that merely has one feature of a VCR – the ability to playback a video.

In view of the above, Applicants respectfully traverse the rejections and assert that the current claims are novel and nonobvious in view of the cited references.



Independent claim 47 provides similar limitations to that described with respect to claim 35. Dependent claim 48 further provides that a first and second handheld devices are different devices. These claims were rejected as follows:

Claims 47 and 48 are rejected as previous set forth in the rejection of claim 35. The aforementioned combined references do not explicitly disclose the particularly claimed scenario wherein a "first of one or more hand held computing devices" is operable to interact with a STB (Claim 47) such that "the first hand held computing device and second hand held computing device are different handheld computing devices". In response to the examiner's previous objection pertaining to the drawings failing to illustrate such a scenario utilizing multiple "handheld computing devices" in conjunction with a single "set top box", the applicant admits that such a scenario is a "conventional feature" and as such need not be shown in the Figures (Paper 10, Page 7). Accordingly, it would have been obvious to one having ordinary skill in the art at the time of the invention that the aforementioned combined teachings of Perlman would be operable to utilize both a "first" and a "second handheld computing device" that are different for the purposes of enabling a viewer to transport and share media with another user with a similar configuration.

Applicant respectfully traverses the above rejection. With respect to the drawing rejections, 37 CFR 1.83(a) provides that conventional features "disclosed in the description and claims, where their detailed illustration is not essential for proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or labeled representation (e.g., a labeled rectangular box". The dictionary (<http://dictionary.reference.com/search?q=conventional>) defines the term "conventional as follows:

**con ven tion al** *adj.*

1. Based on or in accordance with general agreement, use, or practice; customary: *conventional symbols; a conventional form of address.*
2. Conforming to established practice or accepted standards; traditional: *a conventional church wedding.*
  - a. Devoted to or bound by conventions to the point of artificiality; ceremonious.
  - b. Unimaginative; conformist: *longed to escape from their conventional, bourgeois lives.*
3. Represented, as in a work of art, in simplified or abstract form.
4. Law. Based on consent or agreement; contractual.
5. Of, relating to, or resembling an assembly.
6. Using means other than nuclear weapons or energy: *conventional warfare; conventional power plants*

Thus, contrary to that suggested by the Examiner, the term conventional does not mean described in the prior art or admitted in the prior art. Applicant has not admitted nor suggested that the use of different handheld computing devices in the context of the claimed invention was in the prior art or admitted in the prior art. Instead, Applicant provided that the claimed scenarios (wherein different hand held computing devices are used) contained conventional features that were described in the specification and claims. The specification and claims described a scenario wherein a handheld computing device communicated with compatible STBs and wherein the STBs communicated with multiple compatible handheld computing devices. In that the drawings illustrate an STB and a hand

held computing device and the specification describes multiple compatible handheld computing devices, it would be based on or in accordance with general agreement (i.e., the definition for “conventional”) that the handheld computing device illustrated is an example of the various different handheld computing devices that could be compatible with the STB. Thus, the drawings clearly provide support for the claimed invention. Further, Applicant has never stated that the claimed limitations would be obvious in view of the prior art. Thus, Applicants traverse the rejections and response set forth in the Final Office Action.

Applicant further traverses the rejection of claim 57 for the reasons stated above.

The Office Action rejects claims 36, 37, 58, and 59 as follows:

In consideration of claims 36, 37, 58, and 59, it is known in the art that viewers share recorded media. The combined disclose the use of a portable “handheld computing device” in which a viewer may take recorded media along with them. Accordingly, it would have been obvious to one having ordinary skill in the art at the time of the invention that various scenarios for the purpose of sharing and distributing media between users with a similar configuration of home entertainment systems. For example, one of ordinary skill in the art would recognize that given multiple home entertainment systems that a user might record information on their “handheld computer device” for storage and playback on the “same” STB for the purpose of presenting such information using a larger display screen than that associated with the PDA. Similarly, in conjunction with the sharing of media, a user of a “handheld computer device” may subsequently share or distribute the media to a “different” STB associated with a friend for the purposes of sharing and viewing the recorded media on a larger display screen associated with a different location.

Applicant respectfully traverses such rejections. For the reasons stated above, the combination of the cited references fails to disclose the use of a portable “handheld computing device” in which a viewer may take recorded media along with them”. Applicant also appreciates the Examiner’s recognition of the benefits of the present invention of the ability to share and distribute media between users with a similar configuration of home entertainment systems. However, such advantages are only possible pursuant to the present invention. To use these advantages which are not even remotely contemplated or described in the cited art as a rationale for obviousness is improper. Such a reliance on the advantages uses impermissible hindsight. In this regard, the teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). The rejection relies on applicant’s disclosure and

the benefits of Applicant's invention as a rationale for combining the references and to illustrate a reasonable expectation of success.

C. The Claims Are Patentable Over Schindler in view of PocketTV and further in view of Huang

Applicant respectfully traverses the rejections based on Schindler in view of PocketTV and Huang. Like Perlman, Schindler merely describes a home entertainment system. Further, like Perlman, Schindler completely fails to describe the communication between a handheld computing device and a set top box as claimed. In fact, the Office Action admits such a lack of teaching "The reference, however, does not explicitly disclose the particular usage of a 'handheld computing device' to be used in conjunction with the embodiment for the receiving and transmitting material to/for a computer." Applicant previously stated that the PocketTV article and HP Jornada reference were limited to the transmission of information to and from a computer. However, as described above, the PocketTV article and HP Jornada reference completely fail to teach, disclose, or suggest, implicitly or explicitly, the transmission of audio/visual information from the handheld computing device to an STB for display on a display device controlled by the STB. Instead, the PocketTV article is exclusively used to display video on the PocketTV device. In other words, the PocketTV article describes a "TV" that is "Pocket" size. There is no reason nor rationale for the PocketTV device to send information to an STB for display on another output device. Such a rationale/reasoning only arises via the description of the present invention.

In view of the above, while HP Jornada provides for transmitting files to a computer, the transmission of audio/visual files for display on an output device controlled by an STB is not even remotely contemplated or described by HP Jornada. Further, consistent with such an analysis, there would be no reason or rationale to use the HP Jornada device to transmit or receive audio/visual files with Schindler's system. In this regard, there is no motivation to combine Schindler with either HP Jornada or PocketTV.

The motivation provided in the Office Action again recites the same advantage as indicated above - allowing the storage of an entire movie in your pocket. Again, such an advantage exists regardless of whether PocketTV is combined with another reference or not. Further, the advantage of carrying an entire movie in your pocket does not even remotely suggest the motivation for

transmitting that movie to an STB for display on an output device. The advantage for storing an entire movie in your pocket as reflected in the PocketTV article is so that you can easily carry and then view the movie on the PocketTV device. Again, there is no description, implicit or explicit, for transmitting that movie to an STB for display on an output device.

The final Office Action continues and asserts that another motivation is to provide a means for presenting information using a larger display screen for the commonly known advantage of providing the PDA user with a more easily viewable image when the PDA is interconnected to the “set top box” based upon a higher screen resolution and/or enabling easier viewing for additional/multiple user so as to share viewing the recorded content given the larger screen image. Applicants submit that the result of presenting a larger image when a PDA is connected to a setp top box is beneficial. However, relying on the benefits of the invention in hindsight as a motivation to combine the references is improper. Neither reference discloses or states such a motivation anywhere in the references. Nor does the Office Action state that such a motivation is common knowledge in the art.

In addition to the above, Applicant submits that the invention must be viewed as a whole. MPEP 2141.01 provides: In determining the differences between the prior art and the claims, the question under 35 U.S.C. 103 is not whether the differences themselves would have been obvious, but whether the claimed invention as a whole would have been obvious. *Stratoflex, Inc. v. Aeroquip Corp.*, 713 F.2d 1530, 218 USPQ 871 (Fed. Cir. 1983); *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983). The Office Action is failing to look at the invention as a whole and is instead improperly breaking up the various claim limitations and attempting to apply art to individual aspects without regard to the links between the claim elements and the “whole” invention. In this regard, the invention as a whole provides for the use of a handheld computing device to transmit audio/visual information to a STB which then displays the received information on an output device. Such a sequence and combination of events is not contemplated, suggested, described, or alluded to by the cited references.

With respect to claims 47 and 48, Applicant reasserts the arguments from above.

The final Office Action also states:

Alternatively, it is well known in the art that viewers desire to share recorded media for a number of reasons. The combined references articles suggest the use of a portable “handheld computing device” in which a viewer may take a recorded

media along with them. One of ordinary skill in the art would recognize that multiple home entertainment systems of the combined references may exist and meet the claimed limitations wherein the “first” and “second handheld computing devices” are “different”. Feasibly a viewer with a “first hand held computing device” may “receive audio/visual information” that is “transmitted” to a “first handheld computing device” and “stored”. The viewer’s friend may own a “second handheld computing device” that “receives” and “stores” a different program. Over afternoon tea, the second viewer may talk about the program that he/she watched last night. Presuming that the first viewer has not viewed the program, the second viewer having ordinary skill in the art and being a polite conversationalist may offer to share the contents of the “second handheld computing device”. One having ordinary skill in the art would subsequently recognize that it would be advantageous to plug the “second handheld computing device” into the first users home entertainment system such it “receives” and “provides the audio/visual information from the second hand held computing device” to an “output device” [122] such as a television set for the purpose of advantageously providing the video display on a larger screen that is easier to view so as to share the program with the second user.

Applicants submit that the above scenario is very nice. However, it has no foundation in the prior art and is not admitted or within the ordinary skill in the art. People talking over tea about what would be useful has no merit. The fact that a user may like to plug his device into a home entertainment system to show audio/visual information stored therein, where no art shows the capability to perform such a connection and display, cannot be used to reject the present claims. In this regard, hypothetical desires and dreams of a user have no foundation in the prior art. Further, the ability to perform such tasks is merely present in view of the present invention. Such use again relies on impermissible hindsight.

VII. CONCLUSION

In view of the above, it is submitted that this application is now in good order for allowance and such allowance is respectfully solicited. Should the Examiner believe minor matters still remain that can be resolved in a telephone interview, the Examiner is urged to call Applicant's undersigned attorney.

Respectfully submitted,

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Date: December 23, 2004

By 

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